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7 ARIEL ABITTAN,
8 Plaintiff,

9 v.
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11 LILY CHAO, et al.,
12 Defendants.
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14 and
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16 EIAN LABS, INC.,
17 Nominal Defendant.
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19 Case No. 20-cv-09340-NC
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21 **ORDER TO SHOW CAUSE
22 WHETHER A NOMINAL
23 DEFENDANT MUST CONSENT
24 TO JURISDICTION**

25 Pending before the Court are Defendant Temujin Labs Inc. (Delaware)'s motion to
26 dismiss, *see* ECF 36, and Temujin Labs Inc. (Cayman) and the two individual defendants'
27 motion to dismiss, *see* ECF 53. Because the undersigned is a magistrate judge, the Court
28 requires the consent of all parties before it may rule on the Defendants' motions. *See* 28
U.S.C. § 636(c); *see also* *Williams v. King*, 875 F.3d 500 (9th Cir. 2017); *Shetty v.*
America's Wholesale Lender, 735 Fed. App'x 373 (9th Cir. 2018). However, nominal
defendant Eian Labs, Inc. has not consented to magistrate judge jurisdiction. Without Eian
Labs' consent, the Court may be required to reassign this case to a District Court Judge.
See id. Thus, the Court ORDERS the parties to show cause whether the Court has

1 jurisdiction to proceed without § 636(c) consent from a nominal party. The parties must
2 respond to this order within seven days, by **June 18, 2021**. Alternatively, the parties may
3 obtain Eian Labs' consent or declination to magistrate judge jurisdiction.

4 **IT IS SO ORDERED.**

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6 Dated: June 11, 2021

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NATHANIEL M. COUSINS
United States Magistrate Judge